

### **Examiner's Amendment**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with **Attorney Thomas E. Kocovsky Jr. Reg. No. 28,383 on December 17, 2008** along with authorization to charge any necessary fees to applicant's deposit account.
3. The application has been amended as follows:

**A) Replace claim 1** of the up cobra 17th 2008 amendment and response with the following **Examiner amended claim 1**:

**Claim 1** ---A radio frequency coil system **configured** for magnetic resonance imaging, the coil system comprising:  
a plurality of parallel spaced apart rungs which each include rung capacitors; an end cap disposed at a closed end of the **radio frequency** coil system; and an RF shield which is connected to the end cap and surrounds the rungs, **the RF shield** extending in a direction substantially parallel to rungs. ---

The following is an examiner's statement of **Reasons for Allowance**:

4. With respect to **independent claim 1**: this claim is considered to be allowable over the prior art of record because the prior art of record neither discloses nor suggests an MRI radio frequency coil system comprising: a plurality of parallel spaced apart rungs which each include **rung capacitors**; **an end cap disposed at a closed end** of the radio frequency coil system; and **an RF shield, which is connected to the end cap and surrounds the rungs, the RF shield extending in a direction substantially parallel to the rungs** as set forth in **Examiner amended independent claim 1**. Specifically, it is the parallel configuration and structural arrangement of the RF shield,

in relation to the end cap and the presence of the specified rung capacitors which makes applicants claim novel and not obvious over the prior art of record. The examiner notes, however that it is the entire combination of the claim limitations taken as a whole, as set forth, which constitutes the full novelty and non-obviousness of applicant's **Examiner amended independent claim 1**. The examiner notes that, all of the examiner amendments herein are fully supported by the original specification as filed, and that the application is considered to be free of new matter.

5. With respect to **dependent claims 2-24** each of these claims is considered to be allowable over the prior art of record, by the examiner, because they each depend from an allowable Examiner amended independent claim.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Examiners comment**

**Priority**

7. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

**Response to Priority date Arguments**

8. Applicant's arguments, see page 7 of the applicant's remarks, filed October 17, 2008, with respect to the effective priority date of the application have been fully considered and are persuasive, in view of applicants arguments, the amendments to the specification in the original May 17, 2006 preliminary amendment and the, originally filed application data sheet, setting forth that the instant application claims the priority benefit of US provisional patent application 60/520,949 for the present application. Because both the applied prior art of record, and the instant application have an identical effective priority date, as both applications were filed concurrently on November 18, 2003, the prior art rejections of July 21, 2008 office action have been withdrawn, and are considered moot.

**Prior Art of Record**

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**A)** \***Monski, Jr. et al.** US patent **7,084,629 B2** issued Aug. 1<sup>st</sup> 2006, filed November 27<sup>th</sup> 2003, with an effective US priority date of Nov. 27<sup>th</sup> 2002. The examiner notes that this reference also appears to show and teach all applicants' limitations, with the only difference being that the end cap is shown in the figures but not disclosed as a separate element. **Monski, Jr. et al.**, treats the end cap as an intrinsic component, which is shown but nor separately taught and identified. Applicant should review this reference, before responding to this office action, as it also appears to satisfy each of the claimed limitations as currently recited, even though the term "end cap" is not utilized by the reference.

**B)** \***Monski, Jr. et al.** US patent application publication 2005/0099179 A1 published May 12<sup>th</sup> 2005, which corresponds to US patent **7,084,629 B2** issued Aug. 1<sup>st</sup> 2006, filed November 27<sup>th</sup> 2003, with an effective US priority date of Nov. 27<sup>th</sup> 2002.

**C)** **Leussler** US patent 7,345,481 B2 issued March 18<sup>th</sup> 2008, with an effective US priority date of November 18th 2003. The examiner notes that this reference has a priority date of November 18, 2003 which is identical to applicant's current priority date of November 18, 2003, therefore this reference is not available as prior art against the claims of the instant application by the examiner.

**D)** **Hayes** United States patent application publication 2001/0035504A1 published November 1, 2001.

**E)** **Hayes** United States patent 6,888,153 B2 issued May 3, 2005 filed April 4, 2001.

### Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tiffany Fetzner whose telephone number is: (571) 272-2241. The examiner can normally be reached on Monday, Wednesday, and Friday-Thursday from 7:00am to 2:10 pm., and on Tuesday and Thursday from 7:00am to 5:30pm.

11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Diego Gutierrez**, can be reached at (571) 272-2245. The **only official fax**

**phone number** for the organization where this application or proceeding is assigned is  
**(571) 273-8300.**

12. Information regarding the status of an application may be obtained from the Patent Application information Retrieval (PAIR) system Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PMR only. For more information about the PMR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PMR system contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/TAF/  
December 30, 2008

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